

REMARKS

The Examiner has rejected claims 3 and 4 under 35 U.S.C. §112 (2nd Paragraph). The Examiner believes that claims 3 and 4 are indefinite for failing to recite how the metal layer is deposited on the outermost polyamide resin layer of the film. Applicants point out that while the specification discloses the use of a vapor deposition process for depositing the metal layer, claims 3 and 4 should not be required to be limited to such a technique. All that is necessary is that the metal layer be deposited on the outermost polyamide film layer and that limitation is fully enabled by the teaching in the specification. Accordingly, Applicants respectfully traverse the Examiner's rejection of claims 3-4 under 35 U.S.C. §112 (2nd Paragraph).

On the merits, the Examiner has rejected claim 4 under 35 U.S.C. §102(b) as anticipated by Horii (U. S. Patent No. 4,928,908). The argument advanced by the Examiner in support of the rejection is discussed in item 5 on page 3 of the Official Action. Applicants respectfully traverse this rejection in light of the current amendment to claim 4. Stated differently, the §102(b) rejection of claim 4 is now believed to be moot in view of the present amendment of claim 4.

Further, The Examiner has rejected claims 1 and 2 under 35 U.S.C. §103(a) as obvious over Gasse et al. The alleged support for this rejection is discussed in item 6 on pages 3-4 of the Official Action, and not herein repeated. Claims 3 and 5 have also been rejected under 35 U.S.C. §103(a) as obvious over Last in view of Gasse et al. The arguments advanced by the Examiner in support of this rejection are discussed in item 7 on pages 4 and 5 of the Official Action, and not herein repeated.

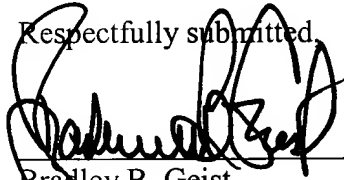
Applicants respectfully traverse the rejection of all pending claims 1-5 (of which only claim 1 is independent) for the reasons discussed below. Further, Applicants believe that it is only necessary to focus their remarks on independent claim 1, which if found patentable over the applied references, means that all claims dependent thereon should likewise be found patentable.

The present invention is believed to be patentable over Gasse et al. because Gasse et al. does not disclose a stretched film (see column 3, lines 23 to 26); and Gasse et al. does not disclose a balloon since a film bubble (column 3, lines 15-20) is not a balloon in accordance with the present invention. Moreover, with respect to claim 1, Applicants have now limited the composition of the polyamide resin layer to the mixture of about 70-95 wt. % of crystalline nylon and about 30-5 wt. % of amorphous nylon.

Further, Applicants are of the view that Gasse et al. does not disclose a five-layer structure composed of a polyamide resin layer, a polyolefin layer, a polyamide resin layer, an adhesive layer and a seal layer wherein the polyamide resin layer comprises about 70-95 wt. % of crystalline nylon and about 30-5 wt. % of amorphous nylon. As shown in table 2 of the specification, only a polyamide resin layer comprising about 70-95 wt. % of crystalline nylon and about 30-5 wt. % of amorphous nylon (comparative example 1) resulted in higher curling property. Gasse et al. does not disclose a five-layer structure having the two mixed polyamide layers as claimed herein. Further, none of the other references disclose five-layer films as required by the present invention.

Accordingly, the reasons discussed above and the amendments made herein, Applicants respectfully request reconsideration and allowance of the pending claims 1-5.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bradley B. Geist", is written over a horizontal line.

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